

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appl. No. : 10/082,958 Confirmation No.: 5005
Appellants : David C. Loda
Filed : February 26, 2002
TC/A.U. : 2144
Examiner : Bengzon, Greg C.

Docket No. : PA-085.10645-US-U(02-179)
Customer No. : 34704

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Dear Sir:

This is in response to the Notice of Non-Compliant Appeal Brief dated June 4, 2009 setting a one month period for response which expires on July 4, 2009.

Remarks/Arguments begin on page 2 of this paper.

REMARKS/ARGUMENTS

Attached is a Revised Appeal Brief which overcomes the objections raised by the Examiner, namely the brief contains a revised statement of the status of all claims and revised statement under Arguments section.

Attached hereto is a revised appeal brief in which Appellants have earnestly made an effort to comply with the objections raised by the Examiner. The Examiner is respectfully requested to enter the appeal brief.

No fee is believed to be due by this response. Should the Director determine that a fee is due, he is hereby authorized to charge said fee to Deposit Account No. 02-0184.

Respectfully submitted,

David C. Loda

By /Barry L. Kelmachter #29999/

Barry L. Kelmachter

BACHMAN & LaPOINTE, P.C.

Reg. No. 29,999

Attorney for Applicants

Telephone: (203)777-6628 ext. 112

Telefax: (203)865-0297

Email: docket@bachlap.com

Date: June 29, 2009